



## CITY OF ATLANTA

Kasim Reed  
MAYOR

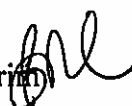
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
404-330-6145 – FAX: 404-658-7491  
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TIM KEANE  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** U-15-08 for 130 West Paces Ferry Road, N.W.

**DATE:** July 9, 2015

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An Ordinance by Zoning Committee under the provisions of Section 16-05.005 (1) (k) of the Zoning Ordinance of the City of Atlanta, granting a Special Use Permit for a Community Center for purpose of a site plan amendment for the Atlanta History Center

#### FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 1,024.74 feet on the southwest side of West Paces Ferry Road beginning 0 feet from the southwest corner of Slaton Drive. It is located in the Peachtree Heights West neighborhood of NPU B in Council District 8.
- **Property size and physical features:** The size of the property is 33 acres with 1,024.74 feet of frontage along West Paces Ferry Road and currently developed as a The Atlanta History Center. Topography generally rolling throughout entire property with mature trees and shrubs.
- **Current/past use of property:** The current use of the property is a history and exhibition center, owned and operated by the Atlanta Historical Society. The previous uses for the subject property were single-family residences.
- **Surrounding zoning/land uses:** The subject property is surrounded by a mixture of uses and adjacent properties are zoned as follow: R-3 (Single-Family Residential), O-I-C (Office-Institutional-Conditional), RG-2 (Residential General-Sector 2), RG-2-C (Residential General-Conditional), R-2A (Single-Family Residential), SPI-9 SA2 (Buckhead Village Special Interest District, Subarea 2) districts.

- **Transportation system:** West Paces Ferry Road is an arterial street. MARTA does not directly service the corridor.

## **PROPOSAL:**

The applicant seeks to amend Special Use Permit, U-12-23, granted on January 22, 2013, to construct a 2,055 square-foot walkway addition. The enclosed walkway will connect the museum building to a new annex containing the Atlanta Cyclorama.

- **Ingress and egress:** Ingress and egress to the subject property is provided by existing driveways located off West Paces Ferry Road, Slaton Drive, and Andrews Drive.
- **Parking and loading:** Currently there are a total of 320 off-street parking spaces existing on premises. Visitors and, employees, service personnel will enter through the existing driveways located off West Paces Ferry Road, Andrews Drive, and Slaton Drive and will utilize the existing parking areas. Loading/unloading will occur in the existing loading areas already on site.
- **Refuse and service areas:** The site currently utilizes residential-type containers supplied by the City of Atlanta for the removal of refuse and garbage. The applicant has proposed to continue utilizing the aforementioned method.
- **Buffering and screening:** The proposed site plan amendment is to add a 2,055 square foot pedestrian connector between the Atlanta History Center and the previously approved Cyclorama annex. The proposed addition will not produce any additional noise or glare. There will be additional vegetative plantings in the similar manner as the existing vegetation screening added to the site.
- **Hours and manner of operation:** The applicant has indicated the addition to the facility will have the same hours and manner of operation as the already approved site conditions for the existing Atlanta History Center.
- **Duration:** Applicant requests that the use permit be allowed indefinitely with no expiration date.
- **Required yards and open space:** The development appears to meet the minimum yard setback and lot coverage requirements.
- **Tree Preservation and Replacement:** Tree issues will be addressed at permitting. Compliance with the City's tree ordinance will be achieved and likely exceeded.

## **CONCLUSIONS:**

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Based on the site plan submitted by the applicant and an on-site review conducted by staff there appears to be adequate access to the property via the driveways located off West Paces Ferry Road, Slaton Drive, and Andrews Drive. Furthermore, emergency

vehicles will enter the property through the same driveways along West Paces Ferry Road, Slaton Drive, and Andrews Drive. Therefore, Staff is of the opinion that the existing ingress and egress is sufficient to ensure automotive safety and will not create traffic congestion.

- b) **Off-street parking and loading:** There is adequate room on site to accommodate off street parking. As aforementioned, the development has three hundred and twenty (320) on-site spaces. Visitors may utilize the parking located onsite. Furthermore, service personnel may utilize the existing parking as well. Therefore, Staff is of the opinion that the applicant has met the off-street parking and loading requirements.
- c) **Refuse and service areas:** The use of private waste removal service for refuse pick-up appears to be adequate for the proposed addition to the existing structure.
- d) **Buffering and screening:** Staff is of the opinion that existing screening of the proposed addition based on the site plan and site conditions will be sufficient.
- e) **Hours and manner of operation:** No change in the hours and manner of operation are proposed. The current hours and manner of operation are reasonable. Staff is of the opinion that the hours of operation will not have a negative impact on surrounding properties.
- f) **Duration:** Staff is supportive a permanent duration.
- g) **Required yards and open space:** The property appears to comply with the required yards and lot coverage requirements.
- h) **Compatibility with policies related to tree preservation:** No trees are anticipated to be impacted by the proposal.

**STAFF RECOMMENDATION: APPROVAL conditioned upon the following:**

1. A site plan dated April 7, 2015 prepared Jacobs entitled "Master Site Plan Atlanta History Center", and marked received by the Office of Planning on May 4, 2015.

cc: Charletta Wilson Jacks, Director, Office of Planning



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TIM KEANE  
Commissioner

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Director, Office of Planning

### MEMORANDUM

TO: Zoning Review Board

FROM: Brandy N. Crawford, Zoning Administrator, Interim 

SUBJECT: Z-15-019 for 1866 Rock Springs Road, N.E.

DATE: July 23, 2015

The applicant seeks a rezoning of the property from the **R-4 (Single Family Residential) District** to the **PD-H (Planned Development-Housing) District** to allow for the construction of three single-family homes.

### FINDINGS OF FACT:

- **Property location:** The subject property is located on the north side of Rock Springs Road, beginning approximately 200 feet east from the northeast corner of the intersection of Rock Springs Road and Piedmont Road. It is located within Land Lot 50 of the 17<sup>th</sup> District of Fulton County, Georgia in the Morningside/Lenox Park Neighborhood of NPU-F in Council District 6.
- **Property size and physical features:** The subject property is a trapezoidal shaped lot of one acre with approximately 224 feet of frontage along Rock Springs Road. It is currently vacant. The topography is steep, sloping downward in an easterly direction from the front of the lot to the rear approximately 36 feet. The property is encumbered on its eastern side by a stream which carries the 75 foot undisturbed buffer. The property is heavily wooded almost throughout.
- **CDP land use map designation:** The Land Use Map for NPU-F designates the subject property as Single-Family Residential.
- **Current/past use of property:** The subject property is currently vacant and staff is unaware of any previous development on the site.
- **Surrounding zoning/land use:** Land use and zoning designations in the immediate area vary and include a RG-2 (Residential General Sector 2) District to the south with a land use

designation of Medium Density Residential, an C-2 (Commercial Service) District to the west and portion of the north with a land use designation of Low Density Commercial, and a R-4 (Single Family Residential) District to the east and part of the north with a land use designation of Single Family Residential. Farther north there is new mixed use development zoned MRC-2 (Mixed Residential Commercial) district. A multifamily residential development is located across Rock Springs Road. Properties to the west are occupied by a mixture of commercial uses and to the east and portion of the north are occupied by single family homes.

- **Transportation system:** Rock Springs Road is categorized as a local street. Piedmont Road, located to the west, is categorized as an arterial street. There is no public transportation available on Rock Springs Road. However, there is MARTA bus route 27 available on nearby Cheshire Bridge Road to the north.

### **PROPOSAL:**

The applicant seeks to rezone the property to construct three single-family homes, two of them would be served by a common private drive and one with an independent drive.

#### **Project Specifications:**

Total Lot Area:	1 acre
Minimum lot size:	14,000 square feet
Lot width:	45 feet
Maximum building height:	35 feet
Minimum yard setbacks:	Front yard of 5 feet; side yard of 5 feet; rear yard of 5 feet

### **CONCLUSIONS:**

- **Compatibility with comprehensive development plan (CDP); timing of development:** The comprehensive development plan designates the subject property as Single-Family Residential land use; therefore no amendment to the 15-year land use map will be required. At the site location, Staff is not aware of any public projects/programs to conflict with the proposed timing of development.
- **Availability of and affect of public facilities and services; referral to other agencies:** The location of the site and surrounding uses indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and departments there would not be adequate public facilities and services at the subject location. At time of permitting the development plans will be submitted to other agencies for permit review for compliance with applicable City codes.
- **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. There is no negative impact on the balance of land uses.

- **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would have a positive impact on the neighborhood's character. It would be a reasonable transition from commercial/multifamily uses to single family residential use. Developing the property under the PD-H zoning district regulations will enable the development of the same number of lots as otherwise allowed under the existing zoning, but in a configuration that is more sensitive to the site conditions and the stream buffer.
- **Suitability of proposed land use:** A change in the 15-year land use map is not required.
- **Effect on adjacent property:** Staff finds that the proposed development would not adversely affect the adjacent properties. The proposed site plan provides for additional buffering conditions along the east portion of the site due to the presence of the stream. The proposal maintains existing mature trees along Rock Springs Road. A conservation easement is proposed for the northeast corner of the lot where the stream buffer is located.
- **Economic use of current zoning:** The subject property has some economic use under the existing conditions. However, should the property be developed under the guidelines of existing R-4 zoning category that would result in a much higher disturbance of the environment and therefore would create a negative effect on to the surrounding properties. The proposed development of 3 new houses would certainly represent an economic improvement.
- **Tree Preservation:** A number of existing trees might need to be removed to make room for the proposed houses. However, the proposed site plan preserves significant areas with trees in a natural manner and, in places, enhances the landscape with additional planting material. Development of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

The following findings are in accordance with Section 16-19.005 (5) of the Zoning Ordinance of the City of Atlanta for Planned Development Districts:

- a. **The suitability of the tract for the general type of PD zoning proposed.**  
Staff is of the opinion that the land is suitable for a PD-H zoning classification. The property presents certain particularities that Staff considers as hardship conditions: the stream and its associated undisturbed buffers at the east of the site and a challenging topography. Given the site location, between commercial and single family uses, the development would act as a buffer while retaining the same overall unit density as in the current R-4 zoning. Moreover, Staff is of the opinion that the proposed project would be compatible with surrounding neighborhoods and would enhance the character of the area.
- b. **The relationship to major roads and mass transit facilities, utilities and other facilities and services.**  
There is no public transportation available on Rock Springs Road. The site is located in proximity to Piedmont Road – Arterial Street to the west. Marta provides bus route service on nearby Cheshire Bridge Road to the north.

**c. The evidence of unified control.**

The site plan submitted by the applicant identifies several elements of unified control in the future development. Access to the development will be provided through a shared two-way private drive off Rock Springs Road and a single drive proposed for the lot adjacent to the right-of-way. A conservation easement is proposed for the northeast corner of the lot where the stream buffer is located. All the common areas will be privately owned and maintained in common by the future residents and the legal details/maintenance program will be stipulated in certain private covenants.

**d. The suitability of proposed plans.**

The proposed site plan, dated April 28, 2015 and stamped received by the Office of Planning on May 4, 2015 is considered to be suitable for a PD-H development.

**e. Specific modifications.**

No modifications have been made to the original site plan submitted to the Office of Planning on May 4, 2015.

**f. The suitability of a maintenance program.**

The applicant has provided no information related to a maintenance program. Staff finds that the site plan identifies facilities and improvements proposed for common use noting that the internal shared driveway will be privately owned and maintained. Staff will require that the development be governed by private covenants to provide for ownership/maintenance of the common areas.

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL upon the following:**

1. Development is subject to the site plan titled "Zoning Plan – 1866 N. Rock Springs Road, NE" by David Barclift, LLC Landscape Architecture Land Planning, dated April 28, 2015 and stamped received by the Office of Planning on May 4, 2015.
2. Developer shall obtain Final Plat or Final Plan approval from Office of Planning before making application for building permit for the housing units. As a condition of approval of the final plat/plan, the developer shall provide the Office of Planning with recorded private covenants. The document must contain details on the ownership and the maintenance program for the private street/drive and all other common areas/conservation easement.
3. Any street lighting system for the private drive shall be designed to allow no light spillage onto any adjoining property.
4. Maximum height for each house shall be 35 ft or adhere to the requirements of code Sec. 16-19A.006(5).
5. The development shall not be gated.

6. All work to be undertaken by the applicant within the City of Atlanta right-of-way shall be permitted by the Department of Public Works prior to construction.
7. Development of the property shall be subject to all City of Atlanta development regulations including but not limited to, Watershed Management Department, Fire Safety Engineer, Public Works Department as well as City of Atlanta Tree Ordinance.





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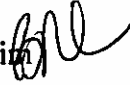
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**TIM KEANE**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-20 for 2815-2839 Peachtree Road, N.E.

**DATE:** July 23, 2015

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An Ordinance by Zoning Committee to rezone from the C-1-C District (Community Business-Conditional) District to the MRC-2 District (Mixed Residential Commercial) District

The applicant submitted a deferral request in order to meet with the neighborhood and NPU. Staff is supportive of this request.

**STAFF RECOMMENDATION: DEFERRAL - AUGUST 2015**

cc: Charletta Wilson Jacks, Director



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### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-021 for 684 Penn Avenue, N.E.

**DATE:** July 23, 2015

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An Ordinance by Zoning Committee to rezone from the **R-5 District (Two Family Residential) District** to the **MRC-1 District (Mixed Residential Commercial) District**.

The applicant has requested a deferral to allow time to explore the option of including an adjacent parcel in the rezoning request.

**STAFF RECOMMENDATION: DEFERRAL, NOVEMBER 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning



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Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-022 for 930 Mauldin Street, S.E.

**DATE:** July 23, 2015

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An ordinance to rezone from **MR-4A-C (Multi-family Residential-Conditional)** and **Beltline Overlay District** to **MR-4A-C (Multi-family Residential-Conditional)** and **Beltline Overlay District** for a change of conditions.

Staff is supportive of the applicant's request for an extended deferral to determine a final site plan layout and continue discussions with the neighborhood and NPU.

**STAFF RECOMMENDATION: 6-MONTH DEFERRAL, JANUARY 2016**

cc: Charletta Wilson Jacks, Director



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Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-023 for 1040, 1044, 1050, 1054, 1058, 1064, 1070, 1074 and 1078 Hampton Street and, 0 Northside Drive (parcel number 17 014900050118) N.W.

**DATE:** July 23, 2015

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The applicant seeks to rezone the property from the R-5 (Two Family Residential) SPI-8 (Home Park Special Public Interest 8) District to the MR-3 (Multifamily Residential) District to construct a multifamily development.

#### FINDINGS OF FACT:

- **Property location:** The subject property (an assemblage of 12 parcels) is located on the west side of Hampton Street, beginning approximately 490 feet north from the northwest corner of the intersection of Hampton Street and Tenth Street. It is located within Land Lot 149 of the 17<sup>th</sup> District of Fulton County, Georgia in the Home Park Neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** According to the City of Atlanta lot boundary maps, the subject property consists of 12 tracts of land amounting to a total acreage of 54,620 square feet with a total street frontage of approximately 450 feet on the west side of Hampton Street and 400 feet on the east side of Northside Drive. Nine of the 12 composing parcels are currently developed with duplexes and multifamily buildings, the other 3 parcels (facing Northside Drive) are remnants of parcels taken for the expansion of Northside Drive. The existing residential structures are one, two, and three stories in height. The topography slopes downward in northwesterly direction approximately 32 feet. There are mature trees throughout the property.
- **CDP land use map designation:** The Land Use Map for NPU-E designates the subject property as Medium Density Residential.

- **Current/past use of property:** The subject property is developed with duplexes and multifamily.
- **Surrounding zoning/land uses:** Land Use and Zoning designations in the immediate area vary and include an I-1 (Light Industrial) district to the west with a land use designation of Mixed Use, a C-2 (Commercial Service) district to the north with a land use designation of Mixed Use, and a R-5 (Two Family Residential) SPI-8 (Home Park Special Public Interest 8) district to the east and south with a land use designation of Medium Density Residential. Properties to the north and west are occupied by mixture of industrial and commercial uses. Properties to the east and south are occupied by multifamily residential.
- **Transportation:** Hampton Street is categorized as a local street. Northside Drive, a State Route, is categorized as an arterial street. There is no public transportation on any of them. However, there is MARTA bus route 137 available on nearby Hemphill Avenue to the east.

## **PROPOSAL:**

The applicant seeks to rezone the property to construct a maximum of 48 residential units with a total of 58,000 square feet. The property would be used for residential purposes only. The proposed building height would be 48 feet within 40 feet of Hampton Street and 75 feet on the balance of the site along Northside Drive. The applicant proposes one parking space per bedroom.

### **Project Specifications:**

Net Lot Area:	54,620 square feet
Gross Lot Area:	83,637 square feet
Maximum F.A.R. (allowed of gross area):	0.696 times net (58,211 s.f.)
Proposed F.A.R.:	58,000 s.f.
Number of units:	Maximum 48 units
Parking Required:	1 per .99 unit
Parking Provided:	Number not provided

## **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The comprehensive development plan designates the subject property as Medium Density Residential; therefore, no amendment to the 15-year land use map will be required. Therefore, the proposed development is compatible with the Comprehensive Development Plan. Staff is not aware of any public projects/programs to conflict with the proposed timing of development.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and surrounding uses indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and departments there would not be adequate public facilities and services at the subject location. At time of permitting the development plans will be submitted to other agencies for permit review for compliance with applicable City codes.

- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Although Staff finds that there might be other nearby sites available for the proposed use this location is reasonable in that it would allow redevelopment of an unsightly site. Further, Staff feels the proposed residential development would be a compliment to the area. Therefore, this proposed development is expected to only positively impact the balance of land uses in the surrounding area.
- 4) **Effect on character of the neighborhood:** The proposed rezoning from R-5/SPI-8 to the MR-3 for the purpose of redevelopment the site into multifamily allows for an improved and reasonable transition from residential uses on the east to the mixture of uses to the west. The property will be more in-line with existing surrounding developments and it would contribute to the mixture of uses in the area; therefore, improving the stability of the area. Therefore, Staff determines the proposal to have a positive effect on the character of the neighborhood.
- 5) **Suitability of proposed land use:** A change in the 15-year land use map is not required.
- 6) **Effect on adjacent property:** The proposed redevelopment of the land would only compliment an area where development is prevalent and needed. Improvements of the property would have a positive effect on future development of adjacent parcels to the north and south along the Northside Drive Corridor. The proposed height of 48 feet along Hampton Street would make the development more compatible with the maximum height of 35 feet allowed in the R-5 district, allowing for a transition to the proposed height of 75 feet along Northside Drive. No traffic improvements are proposed for the new development.
- 7) **Economic use of current zoning:** The subject property has economic value as currently zoned. However, approval of the requested rezoning and the subsequent redevelopment of the property for residential use will likely increase its economic value.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

**STAFF RECOMMENDATION: APPROVAL conditioned upon the following:**

- 1) The Property shall be developed in accordance with the conceptual Site Plan (A-02) prepared by D+E=design+environment dated May 5, 2015 and stamped "received" by the Office of Planning on May 5, 2015.

cc: Charletta Wilson Jacks, Director, Office of Planning



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TIM KEANE  
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Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-27 for 1202 McLynn Avenue, N.E.

**DATE:** July 23, 2015

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AN ORDINANCE BY COUNCILMEMBERS HOWARD SHOOK AND ALEX WAN TO ZONE PROPERTY LOCATED AT 1202 MCLYNN AVENUE, N.E. TO THE R-4 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.

#### FINDINGS OF FACT:

- Property location: The subject property is located outside of the city limits within unincorporated DeKalb County. It is in close proximity to the Morningside/Lenox Park neighborhood of the City of Atlanta which is located within NPU F, Council District 6. The property fronts approximately 68 feet on the northwest side of McLynn Avenue beginning approximately 484 feet from the northeast intersection of McLynn Avenue and Lanier Boulevard.
- Property size and physical features: The subject property is developed with a two story single family residence with an attached garage. The topography of the site sits well above McLynn Avenue, but is relatively flat throughout. There are several mature trees located throughout the lot. There is concrete driveway access, perpendicular to McLynn Avenue that terminates at the attached garage.
- CDP land use map designation: a companion CDP amendment is pending to change the land use designation to the Single-Family Residential.
- Current/past use of property: The property is currently used for single family residential purposes. Staff is not aware of any previous uses.
- Surrounding zoning/land uses: The parcels surrounding the subject property to the north, south, east and west have a similar use as single family residences. The nearest parcel within the City of Atlanta is zoned R-4 (Single Family Residential).

- Transportation system: McLynn Avenue is classified as a local street. MARTA bus services runs nearby along North Highland Avenue.

**PROPOSAL:**

This ordinance proposes to rezone 1202 McLynn Avenue to the R-4 (Single Family Residential) District for the purpose of annexing the property into the city limits from unincorporated DeKalb County.

**CONCLUSIONS:**

**(1) Compatibility with comprehensive development plan (CDP); timing of development:**

A companion CDP amendment is pending to change the land use designation to Single-Family Residential.

**(2) Availability of and effect of public facilities and services; referral to other agencies:**

Since the area has been an established residential area, water and sewage facilities serving the property are assumed to be adequate.

**(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:** Staff is of the opinion that the request to rezone the subject property would not create any issues that would negatively affect the balance of land uses in the area. The subject property has historically been used for residential purposes and the proposal will not alter the use.

**(4) Effect on character of the neighborhood:** The proposed rezoning will have no physical or noticeable impact on the neighborhood. The subject property has been and will remain part of an established community.

**(5) Suitability of proposed land use:** Staff is of the opinion that the proposed request to rezone the property to a zoning district that is prevalent in the neighborhood would be compatible with surrounding zoning and land uses.

**(6) Effect on adjacent property:** The proposed request to rezone the property to a zoning district that is prevalent in the neighborhood would not have a negative effect on adjacent properties but would be in keeping with long established zoning and land policies of the area.

**(7) Economic use of current zoning:** The economic use of the land will be maintained. The rezoning will not result in the redevelopment of the property but only the opportunity to prescribe the most compatible zoning category within the City of Atlanta to a property that was formerly within the boundaries of unincorporated DeKalb County.

**STAFF RECOMMENDATION: APPROVAL**

cc: Charletta Wilson Jacks, Director, Office of Planning





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Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim *bn*

**SUBJECT:** Z-14-66 for 490 Bishop Street, N.W.

**DATE:** July 23, 2015 (Deferred from May 7, 2015 and February 12, 2015)

An Ordinance to rezone from the I-2 (Heavy Industrial) District to the MR-5A (Multi-family Residential) District, property located on a portion of 490 Bishop Street, N.W. and a portion of 1299 Northside Drive, N.W.

The applicant has requested an deferral to allow additional time to finalize the site plan and continue discussions with the neighborhood and NPU.

**STAFF RECOMMENDATION:** DEFERRAL, SEPTEMBER 2015

cc: Charletta Wilson Jacks, Director, Office of Planning



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KASIM REED  
MAYOR

TIM KEANE  
Commissioner

CHARLETTA JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-14-041 for 1791 Piedmont Road, N.E.

**DATE:** July 23, 2015

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An Ordinance to rezone from the **RG-2 (Residential General – Sector 2) / Beltline Overlay District** to the **MR-4A (Multifamily Residential) / Beltline Overlay District**, property located at 1763-1791 (aka 1797) Piedmont Road N.E.

Staff is supportive of the applicant's written request for a deferral in which to continue a consensus building process with immediate neighbors.

**STAFF RECOMMENDATION: DEFERRAL- AUGUST 2015**

cc: Charletta Wilson Jacks, Director, Office of Planning



## CITY OF ATLANTA

Kasim Reed  
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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TIM KEANE  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-11 for 2520 Peachtree Road, N.E.

**DATE:** July 23, 2015

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The applicant seeks to rezone property from the **RG-4-C (Residential General-Sector 4 - Conditional)** district to the **RG-4-C (Residential General -Sector 4 - Conditional)** district for the construction of a multi-story residential building.

### FINDINGS OF FACT:

- property location: The subject property is located on the west side of Peachtree Road in the Peachtree Heights West neighborhood of NPU-B.
- property size and physical features: The subject property consists of a total of 2.76 acres on two parcels. The first parcel, 2520 Peachtree Road, is developed with a 4-story brick residential condominium complex with parking on the ground level. The second parcel, 2544 Peachtree Road, is developed with a 4-story brick and stone residential condominium complex with 2 basement levels, a 2-story brick residential condominium complex, and a 10-space carport structure at the rear of the lot. The topography of the subject site is level and there are several mature trees in the rear yard of 2544 Peachtree Road. Sidewalks are present along both sides of Peachtree road in the vicinity of the subject property.
- CDP land use map designation: High Density Residential.
- current/past use of property: The property is developed with residential condominium units and Staff is unaware of any previous use on the property.
- surrounding zoning/land uses: The subject property is surrounded by high density residential development along both sides of Peachtree Road. The adjacent parcel to the north is zoned RG-3 and developed with 3-story townhouses, and the adjacent property to the south is zoned RG-4-C and is developed with a 10-story residential condominium complex. The property across Peachtree Road to the east is zoned RG-4 and is also developed with 3-

story townhouses. Further north of the subject site, along Peachtree Road, several 18 to 21-story residential condominium tower complexes have been developed. To the west of the subject property are single family residential properties, zoned R-2A.

- transportation system: Peachtree Road is a major north/south arterial road. Interstate 75 is approximately 2 miles to the west of the subject property and Interstate 85 is approximately 2 miles to the east. MARTA bus routes serve the area, and Marta rail stations are located east and south of the subject site.

## PROPOSAL

The applicant proposes to change the site plan and conditions that were attached to the subject property based on a previous rezoning approval from RG-3 to RG-4-C (Z-07-056). The original rezoning application included the subject lot and 2544, which is a contiguous lot to the north. The current application seeks to exclude 2544, and proposes a redesign of the project to develop a 22 story multi-family building on top of a three level parking deck, and a detached one-story pool house in the rear yard. The proposed developmental standards are as follows:

F.A.R.	1.49 (maximum permitted 1.49)
Net Land Area	80,150 square feet
Gross Land Area	87,916 square feet
Residential Floor Area	130,994 square feet
Number of Dwelling Units	75
Parking Spaces	160 spaces (55 spaces required at 0.73 spaces/unit)
Loading Spaces	3 spaces (3 minimum)
Height	22 stories, 300 feet (approximately)
TOS	76,876 square feet (minimum required is 59,783 square feet)
UOS	60,233 square feet (minimum required is 37,804 square feet)

## CONCLUSIONS:

### **(1) Compatibility with comprehensive development plan (CDP); timing of development:**

The proposed rezoning for the subject property is compatible with the High Density Residential use suggested by the 2004-2019 Comprehensive Development Plan for NPU-B.

There are no public projects or programs with which the timing of the project would conflict.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

Location of the site and surrounding uses indicate there are public facilities and services available to the subject property.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

(3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

The zoning regulations indicate that this consideration is optional. In this case, Staff is of the opinion that the proposal for the redevelopment of the subject site for multi-family purposes would not require the review of other suitable land as the proposed zoning classification is compatible with the 2004-2019 CDP and would be replacing an existing multi-family development.

(4) **Effect on character of the neighborhood:** The proposed development would have a positive effect on the neighborhood by replacing the existing, older multi-family development with a more contemporary, pedestrian-friendly project of the same use, which will include landscaped areas, gardens, and other amenities.

(5) **Suitability of proposed land use:** No land use amendment is required.

(6) **Effect on adjacent property:** Given that the property adjacent to the subject site is developed as high density residential uses, the proposed development should not have any negative impact on adjacent property.

(7) **Economic use of current zoning:** The economic use of the zoning will remain the same.

(8) **Tree Preservation:** The applicant shall comply with the City of Atlanta Arborist regulations.

**STAFF RECOMMENDATION: APPROVAL** conditioned upon the following:

1. The development shall be developed in accordance with the conceptual site plan by The Preston Partnership, LLC, entitled Rezoning Site Plan, dated June 18, 2015 and stamped received by the Office of Planning on June 30, 2015.
2. All dumpsters will be enclosed within the building and the parking deck. Garbage collection will be limited to collection between 7 a.m. to 9 p.m on weekdays and 9 a.m and 7 p.m. on a weekend day or legal holiday. Required loading spaces for the development will be provided in the parking deck.
3. Except to the extent expressly waived in writing by Peachtree Heights West Civic Association, the development shall comply with City of Atlanta ordinances with regard to hours of construction and noise limitations. Notwithstanding the foregoing, construction of the proposed development shall not be permitted on Sundays provided this prohibition shall not apply to interior construction.
4. Any exterior speakers installed in the garden terrace or pool terrace areas shall be oriented east to mitigate any impact on adjacent residential properties.
5. Exterior lighting on the building and the parking deck shall be designed, shielded and constructed so as to minimize light spill onto the adjacent properties.
6. All of these narrative conditions shall be printed on the final site plan filed with the City of Atlanta.
7. A minimum seven (7) foot wide landscape strip shall be provided along the northern property line and planted with trees and hedges. This landscape strip is included in the ten (10) foot landscape buffer shown on the site plan. Trees shall be spaced a maximum distance of twenty-five (25) feet on-center and as approved by the City Arborist. All newly planted trees shall be a minimum of three inches in caliper measured thirty-six (36) inches above ground, shall be a minimum of twelve (12) feet in height, and shall have a minimum mature height of thirty (30) feet. Said landscape strip shall be equipped with a functional irrigation system with capacity sufficient to service the tree buffer contained within it which buffer shall be maintained in perpetuity. Any trees within said strip that die or are killed shall be replaced. In addition, hedges shall be planted to provide additional screening from and to the adjacent property to the north. They shall be of a broadleaf evergreen species, including but not limited to, burford holly or waxleaf ligustrum. All trees currently existing on said seven (7) foot wide landscape strip and on the neighboring property to the north of the strip shall be fully protected and incorporated into the current site and landscaping plans. All existing trees as referenced in this Condition 7 and as referenced in Condition 15 hereinafter shall be shielded with protective chain link fence barriers constructed with diameters and other specifications as required by the City Arborist and applicable ordinances. Said protective barriers will remain in place during the entire construction process.

8. Parking between the building to be erected on the site and the street (Peachtree) shall be limited to a maximum number of three short-term parking spaces. They shall be screened from the street with evergreen shrubs or hedges having a minimum height of thirty (30) inches at planting. Parking within the drip line and root zones shall only be constructed after a certified Georgia arborist has prepared a report assessing the impact of the proposed parking approach on said trees, and after said report and approach have been distributed to the Peachtree Heights West Civic Association, and after said civic association has provided the developer with written approval of the proposed approach. If written approval is not granted parking shall not be located within the drip line and root zones.
9. Other than as established in Condition 8 above for short-term use, all guest parking shall be provided within a parking deck.
10. The area between the terrace garden/pool terrace and the rear (western) lot line shall be landscaped and not utilized for parking, loading, or other vehicular uses, except for a portion of the driveway as shown on the site plan.
11. The terrace garden shall not be utilized for parking, loading, or other vehicular uses.
12. No building shall be built within one hundred and ten (110) feet of the rear (western) lot line other than pavilions or gazebos having a maximum height of twenty-four (24) feet. No site plan amendment will be sought to allow the building of any structure (other than as set out in this Condition 12) within one hundred ten (110) feet of the rear (western) lot line. Air conditioning condenser unit for any allowed structure within this area shall not be located between said structure and the western lot line.
13. No construction staging or construction-related vehicle parking shall occur along Peachtree Road, Muscogee Avenue, or other public streets.
14. During construction of the project, the developer shall notify the neighboring property owners of a contact name and telephone number which shall be answered 24 hours a day, 7 days a week regarding disturbances from the construction.
15. The four (4) hardwood trees located between the existing 2520 Peachtree Road building, the existing concrete walkway, Peachtree Road, and the southern property line shall be protected and preserved. The fifty eight (58) inch caliper oak located between the existing 2520 Peachtree Road building and the south lot line shall similarly be protected and preserved.
16. The owner/developer will not request any administrative amendment without providing evidence that notice of such request has been given to the President of Peachtree Heights West Civic Association or his/her designee which seeks to:
  - a. increase the square footage of any building or the number and/or location of parking spaces;
  - b. change any of the uses or location of said uses;
  - c. decrease any exterior setback or the amount of landscaped area;
  - d. materially reduce public access or public spaces; or
  - e. otherwise materially alter these conditions.

The owner/developer will have the right to request administrative changes without such notification so long as such changes are required to comply with technical permitting requirements of the City of Atlanta or to address site conditions.

17. The perimeter fence depicted on the site plan shall be a landscaped, decorative fence or wall and shall not be chain link.

Prior to issuance of a building permit for vertical development, the owner/developer shall provide the proposed lighting plan and landscaping plan to the property owners immediately adjacent to the development for review and comment.

cc: Charletta Wilson Jacks, Director, Office of Planning






KASIM REED  
MAYOR

**CITY OF ATLANTA**  
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TIM KEANE  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

## MEMORANDUM

**TO:** Zoning Review Board  
**FROM:** Brandy N. Crawford, Zoning Administrator, Interim   
**SUBJECT:** Z-15-015 for 846 Hank Aaron Drive, S.E.  
**DATE:** July 23, 2015

An Ordinance by Zoning Committee to rezone from the MRC-1-C (Mixed Residential Commercial-Sector 1-Conditional) District to MRC-1-C (Mixed Residential Commercial-Sector 1-Conditional) for a change in conditions for property located at 846 Hank Aaron Drive, S.E.

Staff recommends a 60 day deferral to allow the applicant time to resolve issues related to conflicts between the proposed use and requested zoning district.

**STAFF RECOMMENDATION: DEFERRAL, SEPTEMBER 2015**

cc: Charletta Wilson Jacks, Director



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MAYOR

TIM KEANE  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** Z-15-016 for 3650 Bakers Ferry Road, S.W.

**DATE:** July 23, 2015

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An Ordinance by Zoning Committee to rezone from the **R-4 (Single Family Residential)** District to **MR-3 (Multi-Family Residential- Sector 3)** District.

Staff is supportive of a deferral to allow applicant additional time to meet with the neighborhood and NPU.

**STAFF RECOMMENDATION: DEFERRAL, SEPTEMBER 2015**

cc: Charletta Wilson Jacks, Director



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Director, Office of Planning

### MEMORANDUM

TO: Zoning Review Board

FROM: Brandy N. Crawford, Zoning Administrator - Interim 

SUBJECT: **Z-15-025 for Ordinance to amend Ordinance 04-O-104)**

DATE: July 23, 2015

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Councilmember Felicia A. Moore seeks to amend Ordinance 04-O-1360 (Z-04-108) for the purposes of rezoning from **R-5** to **R-4A** certain properties (The Property) which have not been included in previous Ordinance 04-O-1360.

### FINDINGS OF FACT:

- Property location: The Property is located in land lot 226 of the 17<sup>th</sup> land district. It borders proctor Creek at the north and affects the following streets: North Street, Jones Avenue, East Avenue and Ruth Street (refer to the attached Exhibit "A"). The property is located within the limits of Grove Park neighborhood, in Council District 9 and NPU J and NPU G.
- Property size and physical features: The property consists of 24 individual lots currently developed with either single-family houses or two-family houses. Some of these lots are currently vacant land.
- CDP land use map designation: Future land use maps identify The property as Low Density Residential use.
- Current/past use of property: Currently, The property is developed as single family residences, two-family residences and vacant land.

- Surrounding zoning/land use: The property is adjacent to: the south – Low Density Residential and zoned R-4A, the west – Open Space (Gun Club Park) zoned R-4A and the east – Community Facility zoned RG-3.
- Transportation system: There is no public transportation available for The property.

## **PROPOSAL:**

To amend Ordinance 04-O-1360 (Z-04-108) for the purposes of rezoning from R-5 to R-4A certain properties (The Property) which have not been included in previous Ordinance 04-O-1360.

## **CONCLUSIONS:**

- **Compatibility with comprehensive development plan (CDP); timing of development:**

The comprehensive development plan designates The property as Low Density Residential; therefore no amendment to the 15-year land use map would be required. There are no public projects/programs to conflict with the proposed timing of rezoning.

- **Availability of and effect of public facilities and services; referral to other agencies:**

There is no indication that there would not be adequate public utilities/services at the subject location. There is existing available sanitary sewer and water. The capacity of the sanitary sewer system will be determined by the Department of Watershed Management as well as any required improvements for the sanitary sewer connections.

In the area where the subject property is located, public transportation is not available.

- **Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

The zoning regulations indicate that this consideration is optional.

- **Effect on character of the neighborhood:**

Residents of NPU J have expressed their concern over the effects of construction of new two-family dwellings (duplexes). This rezoning would allow existing duplexes to remain, however new duplex units would be prohibited therefore preserving the character of the neighborhood as predominantly single-family.

- **Suitability of proposed land use:** A change in the CDP land use map is not required. All 24 parcels composing The property, meet the requirements of R-4A zoning.

- **Effect on adjacent property:**

The proposed re-zoning would have a positive impact on adjacent properties by prohibiting new duplex units and so preserving the character of mostly single-family units.

- **Economic use of current zoning:**

The subject property has its economic use as currently zoned R-5. The proposed re-zoning to R-4A (single family residential only) with a lower density would not allow for a higher economic use of the land.

- **Tree Preservation:** This item is not applicable since no new development is proposed.

**STAFF RECOMMENDATION: APPROVAL**

cc: Charletta Wilson Jacks, Director, Office of Planning



## CITY OF ATLANTA

**KASIM REED  
MAYOR**


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**TIM KEANE  
COMMISSIONER**

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Brandy N. Crawford, Zoning Administrator, Interim 

**SUBJECT:** **Z-15-007 for 1475 West Paces Ferry Road, N.W.**

**DATE:** July 23, 2015 (Deferred from June 11, 2015)

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The applicant seeks a rezoning of the property, from **R-1** to **PD-H**, in view of a new development composed of 2 single-family detached dwellings for the property located at **1475 West Paces Ferry Road, N.W.**

Staff received notice of the applicant's intent to withdraw the rezoning petition on July 22, 2015.

**STAFF RECOMMENDATION: FILE**

cc: Charletta Wilson Jacks, Director, Office of Planning